

**HOUSE APPROPRIATIONS COMMITTEE  
HEARING  
03-13-07**

**Madam Chairperson, distinguished committee members and guests.**

**I am Terrence Jungel, former Sheriff of Ionia County, the prison capital of the world and for the last nine years Executive Director of the Michigan Sheriffs' Association.**

**I appreciate the opportunity to be here today**

**I have been in management for over twenty years and I certainly understand your problems and concerns.**

**I have spent the last 30 years making sure bad guys go to jail and that victims of crime have the justice they deserve. There are two parts to this equation – we must never forget the victims. Bad guys chose to be bad guys – victims are not fortunate. Justice is not cheap/the lack of justice is unacceptable. I appreciate your dilemma.**

**There is no silver bullet –there is no one thing we can do to fix this problem. We didn't get here over night and we won't fix it over night. The Michigan Sheriffs' Association is committed to helping find solutions to the problems facing this state and the Michigan Department of Corrections. However, we are not prepared to be "THE" solution.**

**We recognize that county jails and the prison system are not mutually exclusive and what effects one also impacts the other. Having said that – I am troubled by several recent proposals and options on the problems.**

**County jail reimbursement has been a very successful partnership between the state and the counties since its inception in 1989. In fact, it was so successful that in 1998 it was given statutory permanence in the "Code of Criminal Procedure (769.35) and became part of the annual Appropriations Act for the DOC.**

**I note with troubling observation that the Executive Budget has only \$100 listed in the "County Jail Reimbursement" line item 2007 -2008 Budget Year. That line item in 2007 is \$13,249,000.**

**Don't' ask us to take more if you can't pay for what we presently have. It's disingenuous to discuss future partnerships if you can't fund the one we have.**

**With Discussions of opening the Sentencing Guidelines filling the air this year, it is very concerning to us that the existing partnership be maintained before any discussions of expanding the reimbursement field to include even more offenders who should/could go to prison but stay in our jails.**

**Madam Chair, I'm sure you remember from your days in the Senate on the Appropriations Committee, there has always been a requirement that the DOC meet annually with the Michigan Association of Counties and the Michigan Sheriffs' Association for the purpose of reviewing the effectiveness of our partnership. That too is absent from the most recent proposal. We respectfully request you consider reinstating that provision when you consider putting the \$13.2 million back in.**

**Another troubling proposal is the discussions to release 5000 prisoners currently serving time in prison. They have been sent there as a result of them choosing to break the law – many times I might add! With the exception of very violent crimes, you can't get to prison without becoming a habitual problem and getting a PRV score of 35 or greater according to the Sentencing Guidelines. Some people just belong in prison. We are not mad at them –that's just where they belong!**

**Frankly, the chicken little syndrome is wearing a little thin. The sky has been falling for the last nine years – and to date – no one has been hit on the head. I suggest they stop poking at it.**

**The Michigan Department of Corrections is not short of beds – they are short of beds they can fund – so this is a policy decision driven by economics and not sound public policy regarding public safety.**

**Government has no greater responsibility than the protection of its citizens. Every thing else pales if the public is not safe.**

**As I'm sure you have heard, this state has lost 1667 Police Officer positions since September 11, 2001! That is a very significant number of Police Officers. Now we are proposing early release of 5000 convicted felons !!**

**Ladies and Gentlemen - THAT IS A CRIME TIME BOMB. The question is not if it will explode – just when it will happen and how many people will suffer the consequences.**

**Less cops and more cons does not a safe community make.**

**I would not come to you with just problems. I also have several proposals I would ask you to consider.**

- (1) In the event you release 5000 or 500 inmates there will be a negative impact on county jails. That impact will more than likely force the Sheriff to declare a "Jail Overcrowding" pursuant to P.A. 325 of 1982, MCL 801.51. That is the Jail Overcrowding Act which was passed in 1982 to help Sheriffs manage chronically overcrowded jails. At this time 80 % of our jails are at or over capacity and P.A. 325 is our relief valve. It tells us**

**when to begin alternatives and when that doesn't work it spells out just who gets released.**

**Rather than DOC releasing prisoners that the sheriffs will ultimately get and then be forced to release at a later date, let's make the rules the same for both. I would ask you to consider a "Prison Overcrowding Act" that details in an orderly fashion the release of prisoners should the sky ever really fall.**

- (2) Sheriffs when faced with chronic budget problems have turned to competitive bidding for none critical functions. In one such example "Oakland County" placed out for bid its food services and saved the county \$1.6 million annually with only 2000 prisoners. With a system of over 50,000 prisoners, just think of the potential cost savings. The time is now to act. We cannot release prisoners until all efficiencies are explored!**

**Thank you for the opportunity to be here today and I will be happy to answer any questions you may have!**